THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No. 4608 of 2007

Date: 22.03.2007

Between:

Ch. Lingachary and others.

..... PETITIONERS

AND

The Chief General Manager, Telecom,
BSNL, A.P. Circle, Hyderabad and others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No. 4608 of 2007

Order:

Questioning the action of the respondents in regularizing the services of the petitioners with effect from 05.10.2001 instead of 01.10.2000, though the services of their juniors were regularized with effect from 01.10.2000, the petitioners filed the present writ petition.

Heard the learned counsel for the petitioners and the learned Standing Counsel for the respondents-BSNL.

By this writ petition, the petitioners are seeking to regularize their services with effect from 01.10.2000 on par with their juniors. The issues, raised in this writ petition, namely, whether the petitioners are entitled for regularization with effect from 01.10.2000 instead of 05.10.2001, and whether the services of their juniors were regularised with effect from 01.10.2000, are all disputed questions of fact, which can be decided only after adducing evidence by the parties, and this Court, in exercise of jurisdiction under Article 226 of the Constitution of India, cannot decide the same based on the averments made in the writ affidavit.

The writ petition is devoid of merit and the same is accordingly dismissed. However, the petitioners are at liberty to approach the appropriate forum provided under law. No costs.

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N.V. RAMANA, J.

Date: 22.03.2007
Nsr/Sj